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PLEASE REPLY TO
ATLANTIC COUNTY OFFICE

May 14, 2018

The Honorable Magistrate Judge Ann Marie Donio
Mitchell H. Cohen Building & U.S. Courthouse
4th & Cooper Streets, Room 1050
Camden, NJ 08101

Re: The Estate of Joey Myers and Carolyn K. Chaudry, as
Administrator Ad Prosequendum of the Estate of Joey Myers,
and in her own right v. The City of Millville, Chief Jody
Farabella, individually and his official capacity, Officer
Michael Calchi, Officer Gavin Phillips, Officer Jeffrey
Proffit, and John Doe Police Officers 1-10, individually and
in their official capacities
Docket Number: 17-cv-01411 JHR/AMD

Dear Magistrate Judge Donio:

I write with regard to the above matter for consideration in
advance of our initial scheduling conference this coming
Wednesday, May 16, 2018.

In a phone conference as a precursor to that scheduling conference,
Your Honor as I recall expressed some concern about limiting
discovery, when I suggested that District Judge Rodriguez had

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May 14, 2018

The Honorable Magistrate Judge Ann Marie Donio

Atlantic County Superior Court

Re: The Estate of Joey Myers and Carolyn K. Chaudry, as Administrator Ad Prosequendum of the Estate of Joey Myers, and in her own right v. The City of Millville, Chief Jody Farabella, individually and his official capacity, Officer Michael Calchi, Officer Gavin Phillips, Officer Jeffrey Proffit, and John Doe Police Officers 1-10, individually and in their official capacities
Docket Number: 17-cv-01411 JHR/AMD

implied limited discovery was called for in this case at oral argument on our motion to dismiss.

As such and to check my recollection on that issue, we obtained the transcript of the March 6, 2018 oral argument. Your Honor and Plaintiff's counsel has access to this transcript through the ECF docket (Entry #32), as certified official court reporters or transcription agencies are only permitted to electronically file official court transcripts. Judge Rodriguez's comments, which Defendants rely upon in support of the idea that Judge Rodriguez agreed there should be limits to discovery in this case as compared to the ordinary case where a Plaintiff has some apparent witness testimony or evidence which could conceivably prove the cause of action, appear primarily at pages 11 through 13. As you will see, it appears there that Judge Rodriguez had some intention to communicate this to Your Honor following the oral argument.

I understand this can be addressed at the upcoming conference but thought it might be helpful to note for consideration and have the transcript for purposes of the conference.

Respectfully submitted

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